

TITLE 5. COMMUNITY AFFAIRS
CHAPTER 23. UNIFORM CONSTRUCTION CODE
SUBCHAPTER 6. REHABILITATION SUBCODE

N.J.A.C. 5:23-6

"Technically infeasible" means, in connection with accessibility requirements, a change that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a loadbearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

"Tenancy" means an entire building or that portion of a building or story which is or is intended to be under the control of a single owner or tenant.

"UFC fire barrier" means a continuous membrane, either vertical or horizontal, such as a wall or floor assembly, that is designed and constructed with a specified fire resistance rating and located to limit the spread of fire and restrict the movement of smoke. Such barriers may have protected openings when a specific fire resistive rating is indicated by this subcode.

"Use" means that portion of a building or tenancy which is devoted to a single group or special use or occupancy as defined in the building subcode or as established by the provisions of any other subcode for the purpose of specifying special requirements applicable to that portion of a building or tenancy.

"Work area" means any entire use, primary function space, or tenancy comprising all or part of a reconstruction project as delineated on the approved permit application and/or plans.

* § 5:23-6.4 Repairs (*see p. 16*)

(a) Repairs, as defined in *N.J.A.C. 5:23-6.3*, shall comply with the requirements of this section. There is no limit to the amount of repair work which may be undertaken.

1. The following work shall be considered renovation, alteration, or reconstruction, as appropriate, and not repair work:

- i. The cutting away of any wall, partition, or portion thereof;
- ii. The permanent, partial or complete removal of any primary structural component;
- iii. The removal or rearrangement of any part of a required means of egress; and
- iv. Addition to, alteration or relocation of:
 - (1) Any fire protection system piping;
 - (2) Water supply, sewer, drainage, gas, oil, waste, vent, or similar piping;

This document is provided as a courtesy only; the official Administrative Rules of the State of NJ are available through LexisNexis, the publisher licensed by the NJ Office of Administrative Law, or through your local public library.

TITLE 5. COMMUNITY AFFAIRS
CHAPTER 23. UNIFORM CONSTRUCTION CODE
SUBCHAPTER 6. REHABILITATION SUBCODE

N.J.A.C. 5:23-6

(3) Electrical wiring, other than wiring for a low voltage communication system in a one or two family dwelling;

(4) Mechanical system components such as ductwork; or

(5) Elevator devices.

(b) All work shall be done in a workmanlike manner.

(c) The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a permit or that which is required by the applicable subcodes of the Uniform Construction Code, whichever is lower.

1. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of Table 1607.1 of the building subcode and shall not create deflection that exceeds the standards set forth below. As used in this section, fixed loads shall mean uniform or concentrated loads and shall include, but not be limited to, equipment, files, library stacks, or similar loading conditions. (Building)

i. For wood frame construction, deflection shall not exceed L/180 for roofs with a slope of 3 in 12 or less or L/120 for roofs with a slope of greater than 3 in 12 and for floors.

ii. For steel frame construction, deflection shall not exceed L/240 for roofs with a slope of 3 in 12 or less or L/180 for roofs with a slope of greater than 3 in 12 and for floors.

iii. For concrete construction, deflection shall not exceed L/180 for roofs or L/240 for floors.

2. Existing fire alarm, automatic sprinkler, standpipe, smoke control and emergency power systems shall not be removed without replacement and shall be maintained in operating condition. (Fire)

3. No work shall be undertaken that diminishes accessibility below that which is required by the Barrier Free Subcode of the Uniform Construction Code, *N.J.A.C. 5:23-7*. (Building)

(d) The following products and practices shall not be used:

1. Wood paneling being used as an interior finish not in conformance with Table 2 of *N.J.A.C. 5:23-6.11* of this subcode; (Building)

2. Carpet used for floor covering that fails to meet the DOC FF-1 "Pill Test" (Consumer Product Safety Commission 16 C.F.R. 1630);

3. Electrical materials/supplies: Unlisted or unapproved electrical products. As stated in the National Electrical Code (sections 90.7, 110.2, 110.3, and article 100), only

This document is provided as a courtesy only; the official Administrative Rules of the State of NJ are available through LexisNexis, the publisher licensed by the NJ Office of Administrative Law, or through your local public library.

TITLE 5. COMMUNITY AFFAIRS
CHAPTER 23. UNIFORM CONSTRUCTION CODE
SUBCHAPTER 6. REHABILITATION SUBCODE

N.J.A.C. 5:23-6

electrical products listed, labeled, approved, and identified are acceptable. Approval is to be based on tests and listings of testing laboratories such as Underwriters Laboratories Inc. (UL), Factory Mutual (FM) or Canadian Standards Association/Nationally Recognized Testing Laboratory (CSA/NRTL), etc.; and (Electrical)

4. Plumbing materials and supplies:

- i. All purpose solvent cement;
- ii. Clear PB (polybutylene) piping;
- iii. Flexible traps and tailpieces;
- iv. Sheet and tubular copper and brass trap and tailpiece fittings less than B&S (Brown & Sharpe) 17 gauge (.045 inch); and
- v. Solder having more than 0.2 percent lead shall not be used in the repair of potable water systems. (Plumbing)

✱

5. The following practices shall not be used on painted surfaces in all buildings of Group R that were constructed before 1978, Group E and Group I-4 buildings used as child-care facilities unless the painted surface has been tested and found to be free of lead-based paint:

- i. Open flame burning or the use of high temperature (in excess of 1100 degrees Fahrenheit) heat guns;
- ii. Power sanding or sandblasting, unless a special HEPA (high efficiency particulate air) filter equipped vacuum attachment is used to contain dust;
- iii. Uncontained water blasting or power washing; or
- iv. Dry scraping or sanding more than two square feet per room (interior) or 10 square feet or more per building (exterior).

6. A mirror shall not be placed in or adjacent to any means of egress so as to confuse the direction of egress or give the appearance of a doorway, exit, or passageway. Draperies or similar hangings shall not obscure an exit.

- i. Exception: Within dwelling units of Groups R-2, R-3, R-4 and R-5.

(e) The following products and practices shall be required, when applicable:

1. Replacement glass shall comply with the "Safety Glazing" requirements of the building subcode and shall be installed in the "Specific Hazardous Locations" as specified by Section 2406.3 of the building subcode or by Section R308.4 of the one- and two-family dwelling subcode, as applicable. (Building)

2. Existing electrical wiring and equipment undergoing repair or replacement shall be allowed to be replaced with like material except for the following: (Electrical)

This document is provided as a courtesy only; the official Administrative Rules of the State of NJ are available through LexisNexis, the publisher licensed by the NJ Office of Administrative Law, or through your local public library.

TITLE 5. COMMUNITY AFFAIRS
CHAPTER 23. UNIFORM CONSTRUCTION CODE
SUBCHAPTER 6. REHABILITATION SUBCODE

N.J.A.C. 5:23-6

i. Replacement of electrical receptacles shall comply with the requirements contained in Section 406.3(D) of the electrical subcode;

ii. Plug fuses of the Edison-base type shall be used only for replacements where there is no evidence of over fusing or tampering per Section 240.51(B) of the electrical subcode;

iii. For replacement of nongrounding-type receptacles with grounding-type receptacles, the equipment grounding conductor of a grounding type receptacle outlet shall be permitted to be connected, in accordance with Section 250.130(C) of the electrical subcode;

iv. Non-"hospital grade" receptacles in patient bed locations of health care facilities, Group I-2, shall be replaced with "hospital grade" receptacles; and

v. Frames of electric ranges, wall-mounted ovens, counter-mounted cooking units, clothes dryers, and outlet or junction boxes that are part of the existing branch circuit for these appliances, except for mobile homes and recreational vehicles, shall be permitted to be grounded to the grounded circuit conductor if all the conditions of Section 250.140 of the electrical subcode are met.

3. When door hardware is replaced in buildings required by the barrier free subcode to be accessible, replacement hardware shall comply with ICC/ANSI A117.1-2003, Section 404.2.6. (Building)

4. Replacement handrails and guardrails shall comply with Sections 1009.10, 1010.8, 1012 and 1013.1 of the building subcode, respectively. Where 50 percent or more of a handrail or guardrail on a flight or on a level is replaced, then this shall be considered a complete replacement and shall comply with the referenced sections of the building subcode. The repair or replacement of less than 50 percent of a handrail or guardrail shall be permitted to match the existing handrail or guardrail. (Building)

5. When the refrigerant in existing equipment is replaced with a different refrigerant, the requirements of the mechanical subcode applicable to the new refrigerant, if any, shall be met. (Plumbing)

6. Existing roof covering shall be removed before installing new roof covering when any of the following conditions occur:

i. The existing roof or roof covering is water soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing;

ii. The existing roof covering is wood shake, slate, clay, cement or asbestos-cement tile; or

iii. The existing roof has two or more applications of any type of roof covering.

*This document is provided as a courtesy only; the official
Administrative Rules of the State of NJ are available through
LexisNexis, the publisher licensed by the NJ Office of Administrative
Law, or through your local public library.*

TITLE 5. COMMUNITY AFFAIRS
CHAPTER 23. UNIFORM CONSTRUCTION CODE
SUBCHAPTER 6. REHABILITATION SUBCODE

N.J.A.C. 5:23-6

7. When the work being performed exposes wood framing of any wall, floor, ceiling, or roof, fireblocking shall be provided as required by section 717.2 of the building subcode or section R602.8 of the one- and two-family dwelling subcode, as applicable. The fireblocking material shall comply with section 717.2.1 or 717.2.1.1 of the building subcode or section R602.8.1 of the one- and two-family dwelling subcode, as applicable.

8. When the work being performed exposes the entire framing of any wall, floor, ceiling, or roof assembly that is part of the building thermal envelope (encloses conditioned space) and there is no insulation in the cavities, insulation meeting a minimum R-value shall be installed that fills the cavities of the framed assembly.

i. If only a de minimis amount of interior finish remains on the framed assembly, the above requirement for the installation of insulation shall apply; or

ii. If high efficiency equipment is installed as per the energy subcode, the above requirement for installation of insulation shall not apply to the basement.

9. When window assemblies are replaced, the U-factor (thermal transmittance) shall not exceed 0.5 or the U-factor of the window assembly being replaced, whichever is lower.

(f) In buildings of Groups R-3, R-4 and R-5 and in dwelling units of Group R-2, smoke alarms shall be installed and maintained on each level of the structure, outside each separate sleeping area in the immediate vicinity of the bedrooms, and located on or near the ceiling. Battery-operated units shall be permitted. (Fire)

(g) In buildings of Groups I-1, R-1, R-2, R-3, R-4 or R-5 containing a fuel burning appliance or having an attached garage, carbon monoxide alarms shall be installed in accordance with the mechanical subcode. (Fire)

§ 5:23-6.5 Renovations

(a) Renovations, as defined in *N.J.A.C. 5:23-6.3*, shall comply with the requirements of this section.

(b) All work shall be done in a workmanlike manner.

(c) The work shall not cause any diminution of existing structural strength, system capacity or mechanical ventilation below that which exists at the time of application for a permit or that which is required by the applicable subcodes of the Uniform Construction Code, whichever is lower. The replacement of fixtures, equipment or appliances shall not increase loads on these systems unless the system is upgraded in accordance with the applicable subcode of the UCC to accommodate the increased load.

1. Newly introduced fixed loads shall not exceed the uniformly distributed live loads or concentrated live load criteria of Table 1607.1 of the building subcode and shall not

This document is provided as a courtesy only; the official Administrative Rules of the State of NJ are available through LexisNexis, the publisher licensed by the NJ Office of Administrative Law, or through your local public library.